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1 Q. Any of these other comments that we've been  
2 talking about did she make on December 3rd?  
3 A. Yes.  
4 Q. Which ones?  
5 A. The one about if the baby was sick, I would have  
6 to stay home with the baby. Didn't know if I  
7 would be able to work afterwards until I held the  
8 baby in my arms. I just remember her saying  
9 that.  
10 Q. All right. Before December 3, 2001, did Arlene  
11 make any comments to you that you believe were  
12 discriminatory?  
13 A. No.  
14 Q. Before December 3, 2001, did Arlene do anything  
15 that leads you to believe that she was  
16 discriminating against you on the basis of your  
17 sex?  
18 A. No.  
19 Q. Before December 3, 2001, did Arlene make any  
20 comments that leads you to believe that she was  
21 discriminating against you on the basis of your  
22 pregnancy?  
23 A. No.  
24 Q. Before December 3, 2001, did Arlene do anything

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1 that leads you to believe that she was  
2 discriminating against you on the basis of your  
3 pregnancy?  
4 A. No.  
5 Q. Have you identified all of the comments that you  
6 allege Ms. Osoff made to you that week of  
7 December 3rd to December 7, 2001?  
8 A. I believe so.  
9 Q. When did you start work at Jansson?  
10 A. August of '94.  
11 Q. What was your position?  
12 A. Customer service.  
13 Q. What did you do as a customer service  
14 representative?  
15 A. It was mostly customer contact. Answering  
16 questions over the phone. Writing orders.  
17 Q. How long did you have that position?  
18 A. Just under a year.  
19 Q. Then what was your position?  
20 A. I was the finishing manager.  
21 Q. Was that a promotion?  
22 A. Yes.  
23 Q. Who promoted you?  
24 A. Arlene.

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1 Q. What were your duties as finishing manager?  
2 A. You oversaw the daily scheduling of the finishing  
3 department.  
4 Q. Did you supervise people?  
5 A. Yes.  
6 Q. Had you had supervisory experience before that?  
7 A. Yes.  
8 Q. At Jansson?  
9 A. No.  
10 Q. How many people did you supervise?  
11 A. Oh, I want to say approximately ten. Maybe more.  
12 Q. This promotion occurred in roughly August of '95?  
13 A. I have no idea really. I don't remember.  
14 Q. But you think you did your customer service job  
15 for about a year?  
16 A. Yeah. It wasn't very long.  
17 Q. How long were you the finishing manager?  
18 A. A couple years.  
19 Q. What was your next position at Jansson?  
20 A. Design development manager.  
21 Q. When did you take over that job?  
22 A. I believe that was in '98. I'm not exactly sure.  
23 Q. Was that a job that you went from finishing  
24 manager to design development manager or was

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1 there a transition period?  
2 A. Um, there was a small transition because I was  
3 training the person that was going to be running  
4 finishing. And because I knew finishing so well  
5 and was very successful at running it  
6 efficiently, Arlene wanted me to continue  
7 overseeing it so I kind of juggled both jobs but  
8 the design job itself was something that I did  
9 when I was in customer service.  
10 Arlene was training me and involved me  
11 in design during customer service, during  
12 finishing, and then when the actual transition  
13 went through is when they actually carved out an  
14 office for me, which is where I worked.  
15 Q. Was the move from finishing manager to design  
16 development manager a promotion?  
17 A. Yes.  
18 Q. Did you receive an increase in pay?  
19 A. Yes.  
20 Q. Who promoted you?  
21 A. Arlene.  
22 Q. Had you had design experience before you took  
23 this job?  
24 A. Yes.

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1 Q. Where?  
2 A. I had my own bridal design company.  
3 Q. Any other experience in design?  
4 A. Yes. That's actually what my degree is in.  
5 Design.  
6 Q. Where is your degree from?  
7 A. Endicott College, Beverly.  
8 Q. Was it in bridal design or was it in --  
9 A. Clothing.  
10 Q. Clothing design. Is that a four-year degree?  
11 A. No. It is an Associate's.  
12 Q. What were you designing for Jansson?  
13 A. I'm sorry?  
14 Q. What were you designing for Jansson?  
15 A. Personalized invitations. Greeting cards.  
16 Q. Anything else?  
17 A. I worked with Arlene on like the design layout of  
18 advertisements. She was working on the  
19 possibility of designing some new product lines.  
20 Q. Product lines other than personalized invitations  
21 and greeting cards?  
22 A. Yes.  
23 Q. What other product lines?  
24 A. Like notepad sets, that type of thing.

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1 Q. Did Arlene tell you why she was promoting you  
2 from finishing manager to design development  
3 manager?  
4 A. Well, I know she thought I was extremely talented  
5 and I was extremely efficient and organized. And  
6 she wanted to train another individual to be able  
7 to design so that she could take a back seat.  
8 Q. Did she tell you those things?  
9 A. Yes.  
10 Q. How did you respond?  
11 A. I was flattered.  
12 Q. And did Arlene train you in the design  
13 development position?  
14 A. She didn't train me in the position but what she  
15 did do is train me to understand the Jansson  
16 product so that we could keep the integrity of  
17 the product and so I could properly design for  
18 that type of product.  
19 Q. Tell me a little bit more about that. What does  
20 that mean, the integrity of the product?  
21 A. It was a high-end company. It filled a niche  
22 within the industry for certain style, I should  
23 say. And it was kind of considered like a  
24 Jansson look and she wanted to continue that look

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1 but also remain competitive in the market to some  
2 of the trends that were coming up that she wanted  
3 to keep a cutting edge on. I offered a fresh  
4 eye.  
5 Q. How did she train you in the product?  
6 A. Just working with me.  
7 Q. Did you work closely with her?  
8 A. Yes.  
9 Q. Did she continue to do some of the design duties  
10 early on?  
11 A. Early in my taking the position, yes.  
12 Q. How long do you think it was between when you  
13 started in that position and completely took over  
14 the design duties?  
15 A. I don't really recollect. I want to say maybe  
16 about six months.  
17 Q. Did you view that promotion as an opportunity?  
18 A. Define "opportunity."  
19 Q. Well, was it a good thing?  
20 A. Yes, it was. A very good thing.  
21 Q. Did you like working with Arlene at that time?  
22 A. I always enjoyed working with Arlene.  
23 Q. How would you describe your working relationship  
24 with Arlene?

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1 A. Professional.  
2 Q. Did you exchange personal confidences with Arlene  
3 at any time you worked with her?  
4 A. We did discuss my getting pregnant.  
5 Q. What do you recall about that?  
6 A. I wanted her to be aware of what I was going  
7 through to get pregnant because I was going to be  
8 needing to use vacation and sick time to take  
9 time off. That I wasn't actually going to be  
10 taking a scheduled vacation, that I would be  
11 putting time -- that time aside for fertility  
12 treatments. And I shared that personal part of  
13 my life with her because I knew that it may  
14 directly affect the scheduling of my job.  
15 Q. When did you first start fertility treatments?  
16 A. I want to say -- they wanted to start in '99 but  
17 they could not because I had to have two surgical  
18 procedures before they could start. So I started  
19 in 2000, I believe.  
20 Q. And did you take vacation and sick time for some  
21 of those treatments?  
22 A. Yes, I did.  
23 Q. Did anyone ever object to you doing that?  
24 A. No.

17 (Pages 62 to 65)

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1 Q. When was the first time you went, you took time  
2 off for fertility treatments?  
3 A. I believe it was January of 2000.  
4 Q. And did you take family and medical leave --  
5 A. No.  
6 Q. -- for that?  
7 A. No.  
8 Q. You just have to wait until I finish my question.  
9 A. I'm sorry.  
10 Q. How long did you take off in January of 2000?  
11 A. I believe it might have been a week or three  
12 days.  
13 Q. Did you talk with Arlene about that at the time?  
14 A. Yes.  
15 Q. What was her response?  
16 A. Just to let her know what days they were.  
17 Q. Did she object?  
18 A. No. She just asked that I had all my work in  
19 order before I left, which I did.  
20 Q. When is the next time you recall taking time off  
21 for fertility treatments?  
22 A. The following month. I was rushed to the  
23 hospital with an abscess. That was unexpected.  
24 I was in the hospital I believe for nine days,

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1 which resulted in a miscarriage. And I was out  
2 for additional time after that.  
3 Q. Was that Family and Medical Leave Act?  
4 A. No.  
5 Q. Did Arlene visit you in the hospital?  
6 A. No.  
7 Q. Did she object to the time that you took off for  
8 this?  
9 A. No.  
10 Q. Do you claim that Jansson treated you  
11 discriminatorily with regard to this leave?  
12 A. No.  
13 Q. What's the next time you recall taking time off  
14 for fertility treatments?  
15 A. June. I believe it was June.  
16 Q. The same year?  
17 A. Yes.  
18 Q. So we're still in 2000?  
19 A. Yes.  
20 Q. And how long did you take off then?  
21 A. Hold on a minute. That might not have been then.  
22 I'm sorry. I have to go backwards  
23 because it helps me remember it better. That all  
24 happened in 2001. What happened in 2002 --

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1 January of 2002, I'm sorry, was a scheduled  
2 surgery that I was out for a few weeks. I'm  
3 sorry. I missed a year in there.  
4 Q. Now, the last day of your employment was December  
5 7, 2001?  
6 A. Yes.  
7 Q. And so these -- what you have been describing for  
8 me, this all happened in 2001?  
9 A. Yes. Yes. I took -- those three days I'm  
10 talking about were in January.  
11 Q. Okay.  
12 A. Um -- it was in January. I had the abscess and  
13 miscarriage in February.  
14 Q. Mm-hmm.  
15 A. And then I had another cycle in June.  
16 Q. Okay. And how much time did you take off in  
17 June?  
18 A. Just a few days.  
19 Q. Any objections from Jansson?  
20 A. No.  
21 Q. Did you have any conversations with Arlene about  
22 that at the time?  
23 A. Just normal scheduling and, you know, bring her  
24 up to speed on what was going on before I left

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1 and she brought me up to speed with things when I  
2 came back.  
3 Q. Did you have any conversation with her about how  
4 the treatments were going?  
5 A. Yes. She always asked me how things were.  
6 Q. And are you claiming that those comments were  
7 discriminatory?  
8 A. No.  
9 Q. When was the next time you took off work for  
10 fertility treatments?  
11 A. October.  
12 Q. And that was Family and Medical Leave Act leave,  
13 correct?  
14 A. Yes. Because she told me that that was available  
15 to me because of a situation that had come up at  
16 that particular time that I would have to be out.  
17 I had to have an additional surgery that the  
18 doctor wanted to team up with a fertility cycle  
19 and I was going to have to take additional drugs  
20 that I was going to be very uncomfortable with  
21 and he recommended that I take the time off so he  
22 filled out the proper paperwork that was needed  
23 for that time off.  
24 Q. And you took approximately six weeks off?

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1 A. It was mid October and I returned December 3rd so  
 2 yes.  
 3 Q. Did Arlene object or did Jansson object to your  
 4 taking this leave?  
 5 A. No.  
 6 Q. And Arlene had you apply for the salary  
 7 continuation during that leave as well; isn't  
 8 that correct?  
 9 A. That's a part of that benefit.  
 10 Q. Had you received that before?  
 11 A. No, because I was using vacation and sick time.  
 12 Q. You applied for salary continuation during that  
 13 leave, correct?  
 14 A. If that's what that -- that policy -- that  
 15 benefit was, if that's the name of it, that's --  
 16 Q. Okay.  
 17 A. I don't know the name of it so if that is the  
 18 name of it, I'm sorry.  
 19 Q. Fair enough.  
 20 A. That is what I filled out.  
 21 Q. You were paid for some portion of your leave?  
 22 A. Yes, I was. According to those guidelines.  
 23 Q. And it was not just vacation or sick time?  
 24 A. No. Because I had used previous vacation and

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1 sick time earlier in the year. And Arlene let me  
 2 know that that was available. She suggested it.  
 3 Q. Did Arlene object to your taking a leave in  
 4 October of 2001?  
 5 A. No.  
 6 Q. Did she know what procedures you were going to be  
 7 going through?  
 8 A. I explained to her why I needed that much time  
 9 off.  
 10 Q. From the time you started these treatments in  
 11 2001 until October, 2001, did you share with  
 12 Arlene how it was going?  
 13 A. If the conversation came up, yes.  
 14 Q. Did she ask?  
 15 A. Yes.  
 16 Q. Did that make you uncomfortable?  
 17 A. No. I took it as her caring about me.  
 18 MR. PALMQUIST: This might be a good  
 19 spot to stop for a break. Okay?  
 20 MS. DEVER: Sure.  
 21 (Lunch recess.)  
 22  
 23  
 24

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1 Afternoon Session  
 2 Q. I would like you to describe for me your job  
 3 history since you left Jansson.  
 4 A. Actual jobs worked or -- the process of looking  
 5 for?  
 6 Q. Both. Let's start with any jobs that you've had  
 7 since you left Jansson.  
 8 A. I worked for a company called Marsha  
 9 Incorporated.  
 10 Q. Sorry?  
 11 A. Marsha Incorporated.  
 12 Q. Marsha?  
 13 A. Yes.  
 14 Q. What did you do there?  
 15 A. I designed children's clothing.  
 16 Q. When did you get that job?  
 17 A. September of 2003.  
 18 Q. How long did you work there?  
 19 A. Until very early May, 2004.  
 20 Q. How much were you making there?  
 21 A. I started, I believe, at 15 and then was given an  
 22 increase to 18.  
 23 Q. Eighteen dollars an hour?  
 24 A. Yes.

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1 Q. Why did you leave there?  
 2 A. The company was trying to compete with China and  
 3 decided not to invest in going overseas and  
 4 closed the company down.  
 5 Q. So they shut down?  
 6 A. Yes. They closed.  
 7 Q. What was the next job you held?  
 8 A. None since then.  
 9 Q. Could you describe for me your job search efforts  
 10 beginning in December of 2001?  
 11 A. Yes. I aggressively worked with -- well, I used  
 12 kind of two sources. One was the paper and the  
 13 other was the Internet. Just aggressively sent  
 14 out applications.  
 15 Q. How many applications do you think you sent out?  
 16 A. A lot. Well, you know, maybe one or two a week.  
 17 Maybe might have had a good week where there were  
 18 three or four things and maybe the following week  
 19 there wasn't really quite anything. The week  
 20 after that you might send out two or three. So I  
 21 would probably say it might have averaged ten a  
 22 month.  
 23 Q. Ten a month from December, 2001 until you got  
 24 your job in September of 2003?

19 (Pages 70 to 73)

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1 A. Yes. Well, during the first couple months that I  
 2 had the baby, my search wasn't as aggressive.  
 3 Q. When was your baby born?  
 4 A. July 16, 2002.  
 5 Q. What kinds of jobs were you applying for?  
 6 A. Kind of a combination of things. Since my skills  
 7 were somewhat unique and specialized, there  
 8 weren't a lot of companies in this area that did  
 9 that type of work. So I started to apply my  
 10 skills in a more general way so, for example,  
 11 there was a chocolate company that was looking  
 12 for someone to design new chocolate products and  
 13 actually the job sounded pretty similar to the  
 14 job I did at Jansson so I would apply for  
 15 something like that.  
 16 Q. You were looking for design jobs?  
 17 A. Design, and then I started to look more into  
 18 administrative-type jobs. Because at that point  
 19 where there wasn't anything readily available for  
 20 design and I was starting to notice that I didn't  
 21 have the degree that they were looking for, I  
 22 started to look into different-type jobs that I  
 23 might be able to adapt my skills to.  
 24 Q. What kind of administrative jobs did you apply

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1 for?  
 2 A. Um, mainly like within publications. Advertising  
 3 agencies.  
 4 Q. Did you have any interviews?  
 5 A. No.  
 6 Q. Did you place any limitations on your search?  
 7 A. I'm not sure I understand what you mean by  
 8 "limitations."  
 9 Q. Well, maybe you already testified to this but you  
 10 said you applied for some design jobs and some  
 11 administrative-type jobs.  
 12 A. Mm-hmm.  
 13 Q. Were there any other general categories of jobs  
 14 that you saw in the newspaper and said, I'm going  
 15 to apply for all these jobs?  
 16 A. I'm sorry. I'm not really sure --  
 17 MS. DEVER: Objection.  
 18 A. -- I understand what you mean. I want to answer  
 19 it correctly so I want to make sure I understand  
 20 what you mean.  
 21 Q. Yeah. Let me just rephrase that. Were there any  
 22 other categories of jobs that you applied for?  
 23 A. Besides design and administrative?  
 24 Q. Correct.

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1 A. I don't believe so.  
 2 Q. Were you actively looking for employment between  
 3 December, 2001 and July 16, 2002 when you had  
 4 your baby?  
 5 A. Yes.  
 6 Q. And you said you were not as active after the  
 7 baby was born. When did that pick up again?  
 8 A. He was born mid July. I would say late  
 9 September. That same year.  
 10 Q. And in late September, you resumed at the same  
 11 level you were before you had your baby?  
 12 A. Yes. I made some adjustments. I had someone  
 13 look over my resume to see if there was something  
 14 that might -- that I could change that might make  
 15 it more appealing to actually get an interview.  
 16 I was starting to look at refining my resume so  
 17 that I could possibly -- maybe that was holding  
 18 me back from not getting a job or -- I started to  
 19 venture into possibilities of maybe why I wasn't  
 20 getting any bites.  
 21 Q. Did you go to an outplacement service?  
 22 A. No. I have a friend who is a recruiter. That's  
 23 her profession. And she sat down and helped me  
 24 work through my resume and rewrite it.

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1 Q. Did you keep any kind of job log?  
 2 A. Yes. I have one I believe I kept for you.  
 3 Q. Did you keep a record of companies that you  
 4 applied to or contacted?  
 5 A. Yes.  
 6 Q. Is that the same log?  
 7 A. That is the log, yes.  
 8 Q. And you haven't worked since May of '04; is that  
 9 correct?  
 10 A. Correct.  
 11 Q. And you're still looking for a job at the same  
 12 level and with the same intensity that you were  
 13 between December, 2001 and when you got your job  
 14 in September of 2003?  
 15 A. Well, when I was laid off or when the company  
 16 closed, Marsha, Inc., closed and I was collecting  
 17 unemployment, I spoke to a career counselor there  
 18 and started to aggressively get involved with  
 19 some new programs that they had put in place.  
 20 Seminars for helping individuals that may want to  
 21 retrain for maybe a different type of job that  
 22 were thinking of making career changes.  
 23 So I started to get into that type of  
 24 thing. And in order to become more competitive

20 (Pages 74 to 77)

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